

Judge Welsh Rules Dies Raids in Philadelphia Illegal

MAY DAY 1940
VICTORY
FOR UNITY
—Editorial, Page 6

Daily Worker

PEOPLES CHAMPION OF LIBERTY, PROGRESS, PEACE AND PROSPERITY

Weather
LOCAL — Occasional light rains and slightly cooler.
Eastern New York and New Jersey — Occasional light rains and slightly cooler.

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BLUE RIBBON JURY CONVICTS HATHAWAY

Jittery House Blocks Tory Wage Act Amendments

Recommended for Further Study After Rowdy House Debate

(Daily Worker Washington Bureau)
WASHINGTON, D. C., May 3.—Passage of crippling amendments to the Wage-Hour Act at this session of Congress was decisively halted today.

By a vote of 205 to 175, the House decided to recommit pending amendments to the act for further study to the House Labor Committee.

A few minutes earlier the House voted down by 211 to 171 the Norton amendments to the act as amended by a series of sweeping exemptions which would have left present wage-hour legislation a meaningless shell.

Thus one of the most disgraceful exhibitions of rough-house and rowdiness ever put on by the House ended after seven days of debate with an important victory for labor.

One of the chief factors in today's defeat for all wage-hour amendments was the fact that the cunning and processing lobbyists, and their representatives in Congress had over-reached themselves.

HOUSE GETS COLD FEET
So many exemptions from the act were voted during the last two days that passage of the bill would have meant that practically no workers at all would have been given the protection of a minimum wage of 30 cents an hour and maximum hours of 42 hours a week.

Representative Mary Norton, chairman of the House Labor Committee, estimated that at least 2,900,000 workers had been exempted by the various amendments from both wage and hour provisions of the present act.

It was believed that in addition to this, at least another 1,500,000 to 2,000,000 workers had been exempted from the hours provision alone.

When this wreckage had been completed, the House got cold feet, and was afraid to vote for the legislative monstrosity which it had been produced.

Fear of the growing political power of labor in an election year was responsible in large measure for this last minute retreat.

Both the CIO and the A. F. of L. had opposed the drastic Barden amendments which were defeated earlier in the week.

Actually the Norton bill as amended was infinitely more drastic than the Barden bill had ever been.

Another important factor entering into the picture is the approaching vote on farm parity payments next week.

FARM-CITY CONFLICT
Many Congressmen from rural areas who were anxious to vote for the sweeping amendments were restrained by the fear of retaliation from city Congressmen.

It was considered significant that one of the most sweeping amendments passed today was introduced by Representative Joseph Casey, leading administration supporter

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Bare Sugar Trust Collusion with Army Chiefs for Sway Over Hawaii

Confidential NLRB Report in House Record—Charge Unions Viciously Suppressed by Sugar Trust, Plantation Owners

By Adam Lapin
(Daily Worker Washington Bureau)
WASHINGTON, D. C., May 3.—The amazing story of the ruthless big business dictatorship over the Hawaiian Islands was made public today.

Five big sugar corporations working in the closest cooperation with the Intelligence Division of the Army and Navy were disclosed as the real rulers of Hawaii.

A hard-hitting, carefully prepared confidential report by E. J. Eagan, Regional Director of the Labor Board in Seattle, on the Hawaiian situation was put into the record of the Smith Committee. Eagan made his report three years ago after a visit to the Islands at the request of the board.

6,000 Cheer Browder at Big YCL Rally

Gil Green, Retiring President, Given a Rousing Ovation

Text of Browder address at Young Communist League meeting will be published in tomorrow's Sunday Worker.

Six thousand young Communists cheered Earl Browder at the public anti-war rally organized by the Young Communist League on the 18th anniversary at the Royal Windsor last night. Every available seat was taken while hundreds stood about applauding and cheering.

Gil Green, retiring national president, received a tremendous ovation when he was introduced by Henry Winston, administrative secretary of the YCL. After ten eventful years, Green is being released from the League to do other important work.

Browder addressed the youth on "The War Plans of Roosevelt and Wall Street," tracing the latest developments in the international situation and their meaning for the youth.

The mass meeting marked the opening of the National Council of the YCL and was addressed by Green and other League leaders. In addition to voting on the National Board's request for Green's release, the Council will set the plan for the League's activity during the crucial 1940 election, for the building of the YCL and for the rights of the Negro people.

Other speakers at the rally included John Gates and Claudia Jones.

Emperor Hirohito Confers With U.S. Philippine Head

TOKYO, May 3 (UP).—Emperor Hirohito today granted an audience to Francis B. Sayre, American High Commissioner to the Philippines, while the Empress received both Sayre and Mrs. Sayre.

Judge Rules Dies Raids Illegal in Philadelphia

Declares That Civil Rights of Communist Party and IWO Officials Were Violated in Seizure of Office Records

PHILADELPHIA, May 3.—Federal Judge George A. Welsh ruled today that the raids by agents of the Dies Committee on the offices of the Communist Party and of the International Workers Order here, were illegal.

In an eleven page opinion the judge handed down a vigorous defense of the Bill of Rights and declared that the affidavits issued by the Dies Committee upon which search warrants were issued, were based on "information and belief" and not on fact.

Judge Welsh dismissed the claims of the Dies Committee attorneys that the raid and seizure of property in the two offices was under state jurisdiction because it was made on the basis of a state warrant. The judge said the raids were in effect a Federal procedure and belonged in a Federal court.

He further ruled that an individual's civil rights can be violated by seizure of records or property of which he is an officer has charge. This was in reply to the claim of the Dies attorney that the rights of Carl Reeve, Communist candidate for the U. S. Senate, and Frank Hellman, district organizer of the IWO, were not violated, because they are not the actual owners of the seized property.

"We feel that we should call attention to the exceedingly grave consequences of breaking down the applicable provisions of the Bill of Rights," Judge Welsh said. "It just so happens that the aggrieved parties in this case are apparently very much in the minority in our country. But their rights which they claim were invaded are rights that are sacred to all of us."

Today's ruling came with denial of the motion of a Dies attorney that the complaint of Reeve and Hellman be dismissed. On April 2nd, Dies agents, armed with a search warrant based on Pennsylvania's sedition law, issued by Magistrate Jacob Dogole, and supported by a number of local men, raided the two offices and seized a truckload of property. Although the warrant made the material returnable before the Magistrate, the truck was quickly driven to New Jersey and out of Pennsylvania's jurisdiction.

All the material was returned to Philadelphia from Washington, and is now under police custody. Judge Welsh deferred a ruling on whether the material is to be returned. In his opinion he wrote that the Dies agents "ransacked and cleaned out practically the entire contents of the headquarters of the Communist Party not even omitting materials relating to housing construction."

MATERIAL SEIZED
"In the name of the International Workers Order, I inform you of what you already know, that—

"1—Your agents took from our Philadelphia office an American flag.
"2—Your agents took from our Philadelphia office insurance policies belonging to members of our organization.
"3—Your agents took from our Philadelphia office copies of the by-laws of our Order.
"4—Your agents took from our Philadelphia office a list of Pennsylvania legislators and congressmen.
"5—Your agents took from our Philadelphia office lantern slides on

Knut Hamsun, Blames Britain
OSLO, May 3.—Knut Hamsun, Norwegian novelist who won the Nobel Literature Prize in 1920, today sent to all Oslo newspapers a manifesto accusing the British of infringing on Norway's neutrality and urging Norwegians to lay down their arms against Germany.

(Continued on Page 4)

Allies Quit Namsos; Germans in South Gain

Norwegians Lay Down Arms But Deny Peace Talks

LONDON, May 3 (UP).—The War Office announced in a communique tonight that the Allies have withdrawn from Namsos on the Norwegian west coast.

"The withdrawal and re-embarkation was carried out with complete success and without loss," the communique said.

The same communique described the repulse of a German counter-attack around the Nazi-held iron ore port of Narvik, about 320 miles north of Namsos, to which the bulk of the Allied troops presumably are being transferred.

The Nazi counter-attack was repulsed on Wednesday and Thursday "with many enemy dead and some prisoners taken," the War Office said.

The withdrawal from Namsos, like the earlier one from Andalsnes, 200 miles southwest along the Norwegian coast, was described by the War Office as having been carried out "in accordance with a general plan of withdrawal from the immediate neighborhood of Trondheim."

CLAIM HEAVY BOMBING
Today's Air Ministry communique describing operations in Norway said:

"The large Danish airfield known as Ry, lying in the open country on the shore of Lake Salten in North Jutland (Denmark) is known to be extensively used by the enemy in connection with the operations in Norway."

"This air base has been heavily and extensively bombed by the R.A.F. The attacks began yesterday evening and continued during the night. A daylight attack also was made on Stavanger and both this base and Fomhu also were bombed during the night."

Numerous R.A.F. aircraft were engaged throughout yesterday in providing protection against air attack for a convoy transporting the British military forces from Andalsnes. No British aircraft were lost in any of these operations."

NORWEGIANS SURRENDER IN NAMSOS REGION

STOCKHOLM, May 3 (UP).—Norwegian forces in the Namsos region have laid down their arms and capitulated to the German forces following the British-French withdrawal from Namsos, the Swedish news agency said tonight.

Advance motorized units of the German forces, striking through bomb-shattered Namsos, were said to have reached Grong, headquarters of the Norwegian forces.

(The German-controlled radio at Oslo said that only small Norwegian patrols "without leadership" were resisting north and south of Trondheim where the Norwegian forces have laid down their arms.)

ARMISTICE PROPOSED
The Norwegian commander in the Trondheim area was said by

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Hathaway's Statement

Following the verdict, C. A. Hathaway, editor of the Daily Worker, issued the following statement:

"The verdict of guilty was the verdict to be expected from that upper-class Blue Ribbon jury. It is proof of the justification for our attack on the whole jury panel. The case will of course be appealed."



C. A. HATHAWAY

USSR, Reich Back Swedish Neutrality

Both Nations Interested in Preventing War's Spread There, Soviet Agency Says; Parley Held in Moscow 2 Weeks Ago

MOSCOW, May 3 (UP).—The Soviet Union and Germany are interested in preserving Swedish neutrality, their representatives agreed at a conference here two weeks ago, the official news agency Tass announced tonight.

The conference was held in conformity with the non-aggression pact which the two countries signed last August. It provided for consultation and exchange of information on matters of mutual interest.

"It was noted that both states regard themselves as interested in the preservation of Sweden's neutrality," the Tass statement said. The announcement was in the form of a denial of reports published abroad concerning the Soviet Union, Germany, Sweden and Finland.

Tass quoted the following as having been published by the Dutch newspaper Maasbode and other foreign newspapers:

"Last week the U.S.S.R. handed the German government a note in which the Soviet government declared that it would consider German action against Sweden as an unfriendly act, and that besides the U.S.S.R. stated that it could not allow the occupation of the Aland Islands by Germany."

"Tass is authorized to state that

this report does not correspond to the facts," an announcement said. "In reality an exchange of information regarding Sweden's neutrality took place a fortnight ago between representatives of the U.S.S.R. and Germany in Moscow, in conformity with Article III of the Soviet-German non-aggression pact regarding mutual information and consultation."

"It was noted that both states regard themselves as interested in the preservation of Sweden's neutrality," the Tass statement concluded.

Tass likewise labeled as "devoid of any foundation and fabricated from beginning to end" foreign press reports that the Soviet Union had tried to manipulate a deal with Finland for the strategic Aland Islands at the mouth of the Gulf of Bothnia.

The news agency quoted one such report to the effect that the Soviet Union had offered to exchange Viborg (Vilppuri) for the Alands. Another purportedly represented the Soviet Union as offering Finland both Viborg and Hanko for the Alands and Petsamo.

Finns to Hear Browder Speech On Soviet Peace

Harlem Finns are looking forward with keen interest to the lecture on "The International Significance of Finnish-Soviet Peace" by Earl Browder, general secretary of the Communist Party, which will be delivered this Monday evening, May 6, under the sponsorship of the Finnish Workers Club of New York at its hall at 15 W. 126th St.

The lecture is scheduled to start at 8:30 P.M.

Defense Will Take Case to Higher Court

Will Be Sentenced on May 17 — to Set Bail of \$1,000 Monday

By Edward McSorley

A blue ribbon jury in General Sessions found C. A. Hathaway, editor of the Daily Worker, guilty of criminal libel last night. The verdict was rendered at 10:45.

Hathaway was paroled in the custody of his attorney, Edward Kuntz, until four o'clock Monday afternoon when he must post \$1,000 bail. Judge John J. Freschi set May 17 for sentencing.

Mr. Kuntz asked Judge Freschi to extend the present term of the court for one week in order to give him time to file motions for an appeal. The judge agreed.

The Comprodi Publishing Company was also found guilty, but Hyman Kolodny, former business manager of the company, was acquitted.

The charges grew out of an article published in the Daily Worker, Feb. 24, 1936. The jury received the case at 4:17 yesterday afternoon. Edward Kuntz, defense counsel summed up the prosecution Thursday and Judge Freschi made his charge to the jury yesterday.

Judge Freschi completed his charge about 4:05. The jurors retired at 4:17 and returned at 10:45 P.M.

At about six o'clock they sent a question to the judge by a court attendant. It was:

"Some of the jurors would like to know whether if we find libel against either Mrs. Liggett or the memory of her husband we should bring in a verdict of guilty."

At 6:30 they filed back into the courtroom and the judge told them that the evidence must be considered separately as it concerned the two and that in such a case they could bring the verdict of guilty. They retired then and remained in the jury room until seven o'clock when they went to dinner, returning at 8:30 for their further deliberations.

REFERS TO ARTICLE

One of the important points in the judges charges referred directly to a section of the allegedly libelous article.

"If the jury decides," he declared, "that the words contained in the article did not mean that Mrs. Liggett was literally dismembering the corpse of her husband and selling it limb by limb to the Republican Party, but meant that she was making political capital of her husband's views, then you cannot find any libel of Mrs. Liggett."

In defining the criminal libel statute, Judge Freschi carefully explained to the jurors how malice could be proven and the difference between the ordinary meaning of the word and "legal malice."

It was not necessary to show actual hatred by the defendant of the person allegedly libeled, he said, for a verdict of guilty to be brought in.

In citing the various precedents and opinions of the law, Judge Freschi went more extensively into the question of guilty verdicts and the basis on which they had been arrived at.

STRESSES IMPORTANCE

Judge Freschi began his charge to the blue ribbon jurors at 2:05 by impressing upon them the fact the case was one of especial importance since it involved questions of the freedom of the press.

He told them that they must lay aside all prejudices and approach their verdict with free minds. He thanked the defense and prosecuting attorneys and commended them on their skill and dignity.

The fact that the defense had

(Continued on Page 4)

In Tomorrow's Sunday Worker

The 122nd Anniversary Of the Birth of Karl Marx

• Tomorrow's Sunday Worker, an enlarged 16-page edition, will devote an entire page to the 122nd anniversary of the birth of Karl Marx, father of scientific socialism, and founder of the First (Communist) International, the forerunner of the Third International.

Text of Browder's Address

• Featured also in tomorrow's Sunday Worker will be the text of address made by Earl Browder at the mass anti-war meeting of the Young Communist League last night.



Scotch Miners Call Parley to Weigh 'Steps to End War'

Demand Labor Party End Truce With Government and Act to Oust Chamberlain

(By Cable to the Daily Worker)

LONDON, May 3. — The National Scottish Mine Workers conference, meeting today at Ayr, Scotland, called on the British labor movement to organize a conference to discuss "steps to end the war." The union represents 80,000 members.

A resolution declaring that the conference "expresses disapproval of war as a permanent method of settling social problems and calls on the British labor movement to summon a national conference of working class organizations to discuss steps to end the war" was passed by the conference.

The mine workers' delegates also approved a resolution demanding that the Labor Party end its political truce with the government and do its utmost to remove Prime Minister Neville Chamberlain and his Cabinet.

Sir John Simon Defends Allied Norse Retreat

British Prepare Defense At Home Against Possible Invasion

LONDON, May 3 (UP). — The British and French retreats in Norway from Andalsnes and Namsos, under the admitted "superiority" of Germany's bombing and machine-gunning planes which prevented the landing of Allied tanks and artillery, were defended today by Chancellor of the Exchequer Sir John Simon.

Sir John defended his chief, Prime Minister Neville Chamberlain, and the government's war policies with the statement that the Allied campaign in Norway, whatever reverses it may have suffered, was "wisely taken upon the best advice."

Simon, who spoke before a Liberal national political meeting at Caxton Hall, assailed "political scalp hunters" trying to force a government shakeup as a result of the events in Norway.

"The Allies, in the face of our opponent's enormous strength, organized and prepared to the last possible degree for the struggle," he said.

In defense of the government war policies, Simon paid tribute to the German war machine's "high organization and power of thrust."

PREPARE AGAINST "NAZI INVASION" OF BRITISH ISLES

LONDON, May 3 (UP). — Defense authorities today redoubled precautions against any Nazi attempt to land parachute troops in the British Isles and seize a key airbase in what Prime Minister Neville Chamberlain has warned may be a "lightning swoop" by the Germans.

Military quarters feared that, with the Allied withdrawals from central and southern Norway, the Germans might attempt immediately some such sensational "invasion" of the British Isles from their newly won Norwegian air bases.

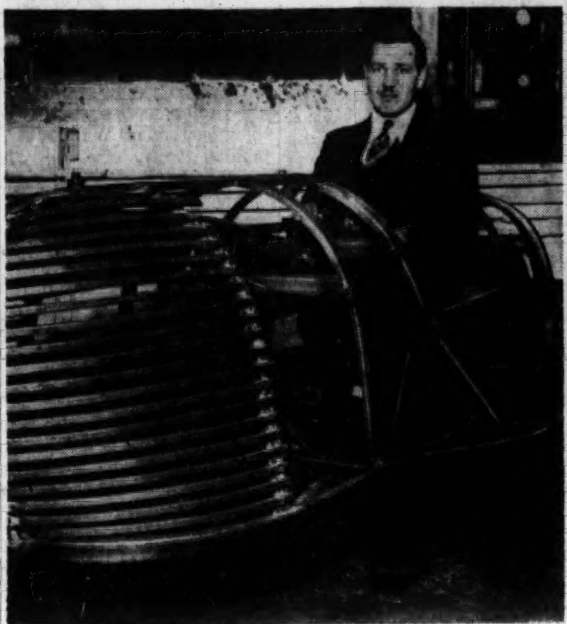
Airplanes believed to be German were heard off the southeast coast of England today and RAF planes were believed to have driven them off.

Meanwhile, British bombing planes continued to bombard Germany's new air bases in Denmark and Norway in an attempt to wreck them and prevent them from being used for any attack against the British Isles or for transporting more Nazi troops to Norway.

The British planes were said to have "smoked out a new nest of German air transports" in a wave of bombing attacks extending throughout last night against the German-held air base at Ry, on the north Jutland area of Denmark.

Other British planes bombed the German airport at Stavanger on the western coast of Norway and Fomnebu airdrome on the outskirts of Oslo.

The British bombers were said in an Air Ministry communique to have bombed the Germans to cover the withdrawal by ship of British and French forces abandoning the Allied landing base at Andalsnes yesterday.



NEW VEHICLE PRESENTS LICENSE PROBLEM: T. J. Stinson, a demaker of Cleveland, in his "quadricycle," which is equipped with four wheels, two of which are retractable. When using four wheels, an auto license would be required, but with two in operation, the machine functions like a motorcycle. The frame is of welded steel. The vehicle is powered by a motorcycle engine and can travel 45 miles an hour.

CIO, AFL Unions Pledge Full Aid to Taxi Strikers

Delegates Representing Almost Half-Million Organized Workers at Conference Back Cab Drivers' Struggle

Union delegates representing nearly half a million New York City trade unionists of both CIO and AFL organizations last night pledged themselves to "stand ready" to give any support asked by striking taxi drivers of the Terminal and Parmelee systems.

Officer Linked To Bail Racket Kills Himself

Ends Life as Retirement Is Held Up Pending Investigation

Police Captain Max Finkelstein, involved in the past few days in a bail bond scandal, killed himself yesterday.

Finkelstein was commander of a (Messerole Ave.) police station in Brooklyn borough. Thursday he applied for a \$2,500 yearly retirement pension. Police Commissioner Lewis J. Valentine approved the retirement and relieved him of duty but on receiving a report from special prosecutor John Harlan Amen that three years ago Finkelstein had been involved in bail bond irregularities, Valentine revoked that retirement and ordered Finkelstein back to work.

Finkelstein, 56, had been in the police department for 29 years. His body was found in the bathroom of his home at 7:15 A. M. by the officer's 18-year-old son, Melvin.

Police said Finkelstein had shot himself with his service revolver he left a note but its contents were not divulged.

IWO Refuses To Aid Dies Blacklisting

Bedacht Lists Material Taken in Raid by Committee Agents

(Continued from Page 1)

life of Abraham Lincoln and other subjects.

"7—Your agents took from our Philadelphia office guides for the organization of social and social games.

"8—Your agents took from our Philadelphia office a card file of the Philadelphia Medical Department of the Order, together with a list of doctors active in the department.

"9—Your agents took from our Philadelphia office correspondence and copies of correspondence between the Philadelphia office of the Order and local lodges, and between the national and the Philadelphia offices of our Order.

"You know very well that your insinuations that the seized material contain proof of designs to overthrow the American government are libelous slanders and acts of outrageous and unjustified persecution against the International Workers Order. The International Workers Order is a fraternal benefit society. It has never acted as anything else. The four million dollars were paid out in benefits within the last ten years of our existence is unchallengeable proof of that.

PLANS BLACKLIST

"Knowing that you cannot prove any un-American acts on the part of the International Workers Order, you are still demanding our membership list. By this trick you hope to achieve your objective. In your hearing of one Joseph Zack, you declared your intentions of gathering names for a political blacklist.

You now desire our consent to publish names found on our telephone lists for business reasons and names listed in the Medical Department for the purpose of medical aid. You want to add these names to your blacklist.

"I wish to inform you that the International Workers Order has nothing whatsoever to fear from the publication of the seized materials. We invite examination of every scrap of paper seized, if the examination is made by unbiased and authorized persons. But we will never help you to persecute, to hound and to blacklist innocent people by volunteering to turn over names to your committee.

"Your statements intending to prove your vigilance in guarding Americanism would sound much more convincing if you yourself would respect the Constitution of the United States and would act as a judicial investigator instead of acting as an anti-labor propagandist.

"MAX BEDACHT, General Secretary, International Workers Order."



JOHN E. MIDDLETON, vice-president of the International Workers Order, who headed an IWO delegation which interviewed Attorney General Jackson in Washington Thursday. He said that "the illegal tactics of the Dies Committee and its unlawful attack on the International Workers Order constitutes a serious threat to the civil liberties of all persons and organizations."

Ask Networks Broadcast CP Parley

(Continued from Page 1)

munist Party would make such a broadcast as is proposed here of genuine interest and moment to the millions of listeners over your facilities."

Citing the widespread attacks on the Parley through broadcasts, the letter points out that obviously no like amount of time (in fact, none at all) has been extended to a national spokesman of the Party for proper and fair rebuttal. Such opportunity for reply, of course, is part and parcel of our American democratic system of giving both sides a chance to speak their piece so that the public itself may decide on the basis of the issues.

"With the aforementioned as background, the writer begs to inquire as to the possibility of securing one half hour over a national hook-up of your major stations for the purpose of presenting Earl Browder, General Secretary of the Communist Party, former presidential candidate in 1936 and probable nominee for the Presidency in 1940.

"The time most acceptable to the Arrangements Committee of the National Nominating Convention would be at approximately 5 o'clock on Sunday afternoon, June 2nd when Mr. Browder will mount the rostrum at Madison Square Garden to accept his party's presidential nomination. The time, of course, could be shifted within given limits, should it be necessary.

"Because of the obvious shortage of time it is necessary that we receive your reply as soon as it is conveniently possible.

"May I hear from you,

"Sincerely yours,

"PETER V. CACCHIONE, Secretary, National Election-Campaign Committee, Communist Party, U. S. A."

New Orchestra

The New York Orchestra, Inc., consisting of 100 musicians, will make its bow to symphony enthusiasts in Carnegie Hall on May 10.

Italian Press Sharpens Up Against Britain

Mussolini Quoted as Defiant on Closing of Suez Canal

ROME, May 3 (UP). — Premier Benito Mussolini was reported in diplomatic quarters tonight to have told U. S. Ambassador William Phillips that he would regard the closing of the Suez Canal to Italian shipping as an "unfriendly and provocative act."

The report coincided with one of the most vituperative press campaigns against Britain since the outbreak of war. It was highlighted by a warning in Marshal Italo Balbo's Corriere Padano of Ferrara that Italy's patience had reached its limit and sooner or later she would move to seize control of the gates of the Mediterranean.

Phillips, in a whirlwind round of conferences with Italian and foreign diplomats, was reported to have asked Mussolini about Italy's interest in the Suez Canal.

Usually reliable diplomatic informants quoted Mussolini as replying that Italy intends to maintain her shipping to and from all parts of the world. She is particularly interested, he reportedly told Phillips, in making certain that the Suez is not closed to her shipping.

F.D.R. PUTS PRESSURE ON ITALY

WASHINGTON, May 3 (UP). — Despite official secrecy, there were unmistakable indications tonight that President Roosevelt is exerting strong pressure on Italy to keep her out of the war.

[The President's position, in line with Wall Street's policy of aggressively seeking to extend—not narrow down—the war, is actually intended to buttress British and French threats to Italy. Reported American declarations to Rome that should the situation "worsen," U. S. merchant ships would be ordered out of the Mediterranean constituted important support for possible Allied blockade measures against Italy.]

The President adroitly sidestepped questions regarding his diplomatic maneuvers. He said that for the present he must stand on the statement that this country is doing everything it can to prevent the spread of war.

That statement, he added, must answer questions bearing on his conference yesterday with Italian Ambassador Don Ascanio Colonna and the conversations between U. S. Ambassador W. C. Phillips, Mussolini and Italian Foreign Minister Galeazzo Ciano.

Acting Secretary of State Sumner Welles was equally reticent. He admitted that he had been exchanging views with the French Ambassador and emissaries of the Balkan countries, but he evaded all questions intended to throw light on the U. S.-Italian talks.

One of the inquiries put to the President was whether Italy had been informed that the United States will ban its shipping from the Mediterranean should Italy enter the war. This would strike a serious blow at Italian maritime commerce.

Mr. Roosevelt had no comment.

Women Voters Back Fight on Poll Tax

Two Southern women, both from states where the poll tax keeps the vast majority of voters away from the polls, led a successful fight for the adoption of a resolution denouncing the anti-democratic levy at the 14th annual convention of the League for Women Voters at Hotel Commodore here yesterday.

The resolution called for inclusion in the League legislative program for next year of a decision to fight for repeal of the poll tax bar on voting in state and federal elections.

It was introduced by Mrs. Carl Stafford of Knoxville, Tenn., but was defeated by a majority of one in the League's program committee.

Sponsors of the resolution led by Mrs. Stafford then took their fight to the convention floor where a vote of two-thirds was required to bring the resolution out for consideration.

In the fight to bring the resolution out to a test, Mrs. Stafford was assisted by Mrs. Margaret Gayle of Atlanta, Ga., and by Mrs. John Thompson of Norman, Okla. Georgia, like Tennessee is a poll tax state.

Projection of the resolution onto the convention floor provoked heated discussion and so much support that its foes in the program committee did not even speak against it. When the vote was taken women were lined up six deep at the microphones to speak for the resolution and against the poll tax.

The resolution was adopted without a recorded vote against it.

Where to Dine

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GREAT CHINA RESTAURANT LUNCH 30c - DINNER 35c 113 East 14th St. N. Y. C.

Blue Ribbon Jury Weighs Hathaway Verdict

(Continued from Page 1)

challenged the constitutionality of the special panel law, he said, must in no way influence their verdict.

The judge described the jury in a libel case as "a bulwark between the government and the defendant. You as judges must decide the issue of libel here without considering the wisdom or philosophy of any political party or the affiliation of any individual with any political party."

"We are not trying the Daily Worker because it is the official organ of the Communist Party," Judge Freschi said. "That is as it should be because all are equal before the law."

"You must be immune to this consideration in your office in this particular case. In criminal libel matters the jurors have greater power than in any other case."

"This is an outgrowth of abuses that date from long ago. I am confident that you will discharge your duties to the best of your abilities. My function is a simple one—to advise and instruct you. I will make this brief and plain."

The judge reminded them that there were three defendants and that the evidence must be weighed separately against each, that they must see that the rights of each defendant were safeguarded.

He instructed them in the law to the extent of informing them of the fact that the defendants were not guilty because indictments had been brought against them.

COURT NEUTRAL

They were innocent until proven guilty beyond a reasonable doubt, he said, and the burden of proof lay with the prosecutor. The judge went extensively into the question of the presence of reasonable doubt in their minds as to the guilt of any of the defendants and told them that the defendants must be given the benefit of the doubt.

The judge defined the origins of the state law which makes jurors in criminal libel judges of the law as well as of fact and said it originated in 1805 in the United States.

The court, he said, must remain neutral, though not indifferent to the evidence, but was commanded not to state his opinion and in no way to convey it on the evidence, issues or anything else involved.

The concessions of the defense, in which Mr. Kuntz had stated the defendant took full responsibility for the writing and publication of the allegedly libelous article must be given serious consideration, Judge Freschi declared.

The judge quoted from the Bill of Rights concerning the right of

citizens to speak, write and publish their opinions without restraint as long as they remained within the law in so doing.

He spoke of the credibility of the witnesses who have testified and said that the jurors could accept or reject in whole or in part what they had stated on the stand.

Whether there was any motive in the District Attorney's office for the delay in bringing the case to trial, he said, the jurors must decide.

All the many publications which had been introduced as evidence, he said, might be considered as bearing on the intent, motives and purposes of the defendants. He enumerated the many newspaper articles submitted.

They must be taken also, he said, as having bearing on whether there was malice on the part of Hathaway and the Daily Worker in the publication of the allegedly libelous article.

INSTRUCTS ON 'MALICE'

At this point he went into the testimony of Hathaway and told the jurors they must decide on the question of malice as it is defined in the statutes. He made extensive citations of opinions and rulings of the higher courts on this question.

"The essence of criminal libel," he declared, "is malice, it is the

cornerstone of the case. If you do not prove this beyond a reasonable doubt you have no case."

The judge went extensively into questions of the defendant "honestly believing" the facts and comments published in alleged libels and whether the defendants contained alleged libelous articles "fair comment."

He reminded them that Hathaway had stated that the article as published in the Daily Worker contained not only the first installment on which the present case is based, but also three additional sections published on later dates.

"Under the law," the judge declared, "it is your duty to consider the four articles together with the context to ascertain their full meaning and to see whether there is libel."

"You must look to the entire article to see if it is libelous within the intent of the law."

Words in the article, he said, must be construed as the ordinary reader would construe them.

The defense as the judge explained was based on two contentions. First, that the article was justified on the basis of the defendant's belief that it contained the truth and second, that it was excusable on the basis of fair comment on Liggett. He sketched out to show that it boiled down to

the issues on malice, truth or falsehood, and the motives behind the publication.

Testimony concerning the political figures of Minnesota including the late Governor Olson and several others must be considered, said the judge. He restated the fact that the articles were written at a time when many other papers were writing about the same situations in Minnesota politics and stressed the fact that the Liggetts "had involved themselves in these happenings."

The jurors were to pass on the fact, he said, that the defense had contended that the articles contained discussions of political figures and the conduct of a paper in relation to public affairs, that the Daily Worker had commented on a political campaign in which the persons discussed (the Liggetts) were first on one side and then on another.

COMMUNISM NOT ON TRIAL

It was also the jury's duty, he said, to pass on the further contention of the defense that the statements made about these persons were believed to be true by them, that they relied on things already written on the question, and that they were not interested in the individuals involved but in the whole political situation.

Apple Blossom Queen



Senorita Lillian Somoza, proclaimed "Queen Shenandoah XVII" as queen is placed upon her head at the 17th annual Apple Blossom Festival in Winchester, Va.

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COMMITTEE FOR THE DEFENSE OF
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THE DEFENSE

Name

Address

CIO Warehouse Union Here Pledges Support to Bridges

Osman Answer Attacks On Union by Chamber Of Commerce

Arthur Osman, President of Wholesale and Warehouse Workers Local 65 of the CIO, yesterday served notice on New York members of the Chamber of Commerce that his union will give full support to CIO plans to organize the warehouse workers here and that an attempt to stop it with an anti-Bridges campaign will fail.

He warned the employers to learn from the lessons on the West Coast and not to emulate the attempts that employers there had made to smash unionism.

Osman's statement was in reply to a speech made by Almon E. Roth, President of the San Francisco Employers Council before members of the New York State Chamber of Commerce.

Roth's speech was a warning that Harry Bridges "was on his way here," in line with a resolution passed by the recent convention of the Longshoremen's and Warehousemen's Union of which he is president, to launch a national drive to unionize the warehouse workers.

PROMOTER OF STRIFE

Osman declared: "Mr. Roth, the leader of the vicious anti-labor employers council of San Francisco is apparently here to promote labor strife—something from which he derives his questionable fame. Perhaps the strength of the West Coast CIO makes such ambition unrealistic in San Francisco. He is seeking more fertile soil for his provocations."

"Mr. Roth is merely continuing the San Francisco employers' policy of fighting the organization of workers. He is anxious that the New York merchants should succeed in crushing the local warehouse workers' efforts to unionize. "It will make no difference to the New York Chamber of Commerce whether such efforts are under the leadership of Bridges or anybody else. So long as the intentions of the workers and their leaders is to organize into honest, democratic and effective unions, the employers will marshal all their power to defeat such intentions."

"Red-baiting, war scares and other such tactics are merely some of the slanderous and dishonest methods of which the merchants have an unlimited supply and which will befool the fresh air with greater intensity as the workers make more progress."

CAUSE OF VIOLENCE

Osman observed that it is the prospect of having to yield higher wages and better working conditions that is causing "nervous prostration" among New York merchants. He warned the employers that "it is such underhanded and un-American efforts" of employers that caused violence and destruction in "certain lockouts," and expressed the hope that in New York such situation would not develop.

Regarding the widely featured newspaper publicity on a Local 65 "deal" with Bridges, Osman said: "We are affiliated with the United Retail and Wholesale Employees of International Union."



ARTHUR OSMAN

and through that organization with the CIO.

"We are anxious to see the warehouse workers organized and will support any program which the CIO will recommend as most suited for such a task. We are loyal to the CIO, its aims and its program, and will defend its campaigns."

Osman also rapped the New York newspapers, particularly the Post, for the organized campaign aiming to divert the issue of organizing the warehouse workers into one of "personalities."

Oil Plant Blast Kills 3, Injures One Critically

President of Company Dies in Explosion Of Tank

PORT WASHINGTON, N. Y., May 3 (UP).—Three men died today after a 45,000 gallon fuel oil tank exploded at the Berg Oils, Inc., plant, one mile north of the city.

Harry Berg, 39, president of the company and the father of two children, was killed and Henry Oates, an employee, and a man tentatively identified as Harry Chase, received injuries and burns that proved fatal.

Physicians said Thomas Muller, also an employee, was suffering from shock and scalp lacerations. Officials said the explosion occurred while the tank was being cleaned.

Three fire companies from Port Washington fought the fire which broke out after the explosion.

The body of Oates was found in the demolished building which had housed the tank.

Open State YMCA Parley

ALBANY, May 3 (UP).—More than 200 YMCA leaders arrived here today for the 57th Annual State Convention of the YMCA.

CIO Wins Poll Of Agents in Hancock Life

Major Victory Makes It Bargaining Agent for 1,025 Workers

The Industrial Insurance Agents Local 30 of the United Office and Professional Workers Union CIO, scored another major victory in New York yesterday by winning a majority in the collective bargaining election covering 1,025 agents of the John Hancock Mutual Life Insurance Co.

With 1,014 of the eligible number voting, and the pro-company forces bringing out every possible voter, the union drew 508 against 478. There were 15 challenged votes and 14 blank or questioned ballots.

The first major victory scored by Local 30 was when it won the election covering the Metropolitan agents. More recently the agents of Hancock Life of Boston voted for the CIO.

Commenting on the result, Leon B. Berney, general organizer of Local 30 said: "The union victory in the Hancock election was a victory for all Hancock agents and for the agents of all other companies as well."

"This makes three times in a row that a clear majority of the employees of a major insurance company have signed their determination to stand together to achieve security and a democratic voice in deciding their conditions under the banner of the CIO."

Berney said steps for negotiations with the company for a contract will be taken immediately.

Buffalo IWO Calls 'Stop Dies' Rally Friday

The Buffalo District of the International Workers Order today announced a city-wide anti-dies meeting to be held on Friday, May 10, 8 P.M., at the Ukrainian Hall, 205 Military Road, Buffalo, N. Y.

This is one of the many meetings arranged by the New York State Committee of the International Workers Order protesting the recent illegal raids instigated by the Dies Committee upon that organization.

The meeting is arranged specifically to protest the illegal raid on the Philadelphia offices of the Order. Listed among the speakers at this meeting are W. T. Morrison, Port Agent of the National Maritime Union; Rev. Herman J. Hahn, of the Salem Evangelical Church; Rev. Lewis W. Holley, of the Evangelical Temple, and George Starr, New York State Organization Secretary of the I.W.O. Rev. Holley is also local chairman of the National Negro Congress.

Get the "Broader Library" for your own collection. See that it reaches the homes of your friends!

Chicago Milk Strikers Stop Wage Slash

Truce Ends Tie-Up But Work Will Continue at Old Scale

(Special to the Daily Worker) CHICAGO, May 3.—Chicago's striking milk drivers won a truce on their own terms today and returned to work on the old pay scale.

The drivers, members of the AFL Teamsters Union, went out on strike Tuesday morning after the milk companies demanded that a 25 to 40 per cent wage cut be written into the new agreement, as of May 1.

After 45 small companies had signed with the union, the "big four" milk trust held out until this morning when the truce was called. Meanwhile, the negotiations will continue, with a deadline for a new agreement set for May 31. After that date, arbitration boards will be set up to affect a settlement.

Union members, hailing the truce as a major victory, returned to work today ending the stoppage of milk deliveries in the city.

Dixie Davis Demands Police Protection

NEW ORLEANS, May 3 (UP).—J. Richard (Dixie) Davis, former attorney for the Dutch Schultz mob in New York, has asked the government to put him under "protective custody" while he is here to testify against six men charged with evading income taxes on proceeds from the slot machine racket, United States Attorney Rene A. Viozca said today.

To Probe Injury Of U. S. Seaman

SAN DIEGO, Cal., May 3 (UP).—Commander F. W. Benson said that a report would be made today on a "machinery derangement" which caused the injury of one sailor on the destroyer U. S. Crosby.

The damage occurred while the Crosby was in Los Angeles harbor Monday, it was understood. The destroyer was serving as an escort to the British light cruiser Caradoc.

An "experimental device" will be installed on the Crosby, it was reported, but the nature of the device was not disclosed.

'Clarity,' New YCL Paper Makes Bow

Theoretical Journal to Be Published Bi-Monthly Aims at Strengthening Understanding of Basic Problems of Youth

By Herbert Rosen "Clarity," the new theoretical organ published by the Young Communist League every two months, is a splendid source of information and understanding for all Young Communists and for all working in and interested in the movement of the young people for peace, freedom and socialism.

It unquestionably will aid in raising the theoretical understanding of the members of the Young Communist League and thereby will speed performance of the tasks facing the Y.C.L.—to unite the young people against the imperialist war, for defense of the living conditions and civil rights of the people, for improvement of the status of the youth, for socialism, the way to a new world.

Leaders of the Young Communist League have contributed excellent articles to this first number of "Clarity." The articles range over the field of youth activity on various fronts.

YOUTH VS. ROOSEVELT

The leading article is Gil Green's address to the meeting of the National Committee of the Communist Party in February, entitled "Youth Reject the Roosevelt Program." Green, setting forth in a few pages the new developments in the youth movement following the outbreak of the imperialist war, shows the reasons for the defeat of the Roosevelt turn to war and reaction among the youth, particularly by the American Youth Congress. He draws three lessons from the Citizenship Institute of the A. Y. C., which was brutally insulted by President Roosevelt: 1) the rise of a "new militant spirit" among the working class, farming and student youth; 2) the new situation more than ever creates the basis for broad movements of the youth; and 3) a third party offers a practical alternative to the youth.

NEGROES AND WAR

Carl Rosa writes on "America's youth in the struggle against the imperialist war." Clearly and succinctly he discusses the imperialist nature of the present war and the efforts of certain groups to justify the war before the youth and to enlist them for an anti-Soviet crusade. He emphasizes the importance of democracy in youth organizations in the struggle against transforming them into pro-war recruiting stations.

Henry Winston, Negro Y. C. L. leader, turns his pen to analysis of

Victim of Unseasonal Storm



The car in which Raymond Kendrick lost his life is being hauled from the Chicago River. The fatal accident is attributed to the unprecedented snowstorm which swept Chicago, either blinding Kendrick or causing his car to skid and hurtle into the water. (Central Press)

Defense Exposes 'Atrocity' Tale in Teamsters Trial

Lady Truck Owner Says Union 'Locked' Her Up But Is Refuted on Cross-Examination; Gov't So Far Charges No Overt Act

Defense counsel in the trial of Teamsters Local 807 and 36 defendants yesterday reduced to nothing an attempt by a woman government witness to picture herself as "locked up" in a union headquarters until she signed a contract.

The witness was Mrs. Emily B. Libe of Phillipsburg, N. J., owner of the E. B. Libe Trucking Co. and of the Golden Arrow Bus line.

It turned out upon cross-examination by defense attorney James D. C. Murray that she had held the union contract for several weeks before she signed it and that she did not know a single one of the defendants on trial.

Mrs. Libe's story, aside from the special trimmings to lend color to

the "conspiracy" and "racketeering" charged in the indictment, was about the same as several dozen others that were told from the stand by truck owners and "loyal" non-union drivers. She was advised to hire New York union men to do the handling of her trucks within city limits. She objected, on a claim that the \$6.40 a day rate was too high.

TOOK IT HOME Finally she agreed to negotiate a contract and went to Local 807's office on Varick St. There she had to wait until officials who were to see her arrived. When the terms of the contract were explained to her she took it home with her and returned it signed only some weeks later, it was brought out.

In the three weeks of the trial scores of witnesses (truck-owners) described how they similarly went to the office of 807 to negotiate a contract, but in no case has imagination gone to the point charging a "lock-up."

Thus far there was practically no charge of any overacts against Local 807 men in all the testimony of the government. The evidence has been limited to proving that Local 807 sought to enforce its jurisdiction within New York City limits in the handling of out-of-town trucks. The government charges that the policy was a "conspiracy to restrain trade" and violation of the Sherman Act, and the charge of \$8.40 and \$9.42 a day for handling of the trucks was "extortion" and violation of the still untested Anti-Racketeers Act.

The defense will bring out that the policy of insisting that work within New York City limits be handled by local union men was in no way aimed at restraining trade, and the money received was not "extortion" but pay for work performed; that the union aimed to protect its men from being displaced by unorganized and underpaid labor.

The witness who still remained on the stand and due for cross-examination by Murray on Monday is Louis H. Harris, owner of the large fleet of trucks of the Salem Express of Salem, N. J. He balked at hiring New York men, too, but finally signed a contract. Quite apparently slanting his testimony to revenge the discomfort the union caused him in 1937-38, he went into details about his arguments with men. He had insisted, he said, that for \$9.42 a man should handle the unloading of at least two of his huge trailers. He pointed out several of the defendants—all men who had on occasion gotten a day's work from him. But to U. S. Attorney John T. Cahill, Harris "connected" the men to the "conspiracy."

Two Schooners Lost In Storms in April

HALIFAX, N. S., May 3 (UP).—Two Nova Scotia schooners, the Hamona and the Sretha, were reported missing today and were feared lost in the violent storms that swept Nova Scotia late in April.

The Hamona sailed from New York on April 19 for Sheet Harbor, N. S., to load lumber for Boston, and has not been heard of since.

Central Trades Flay 'Trust' Drive on Labor

Pardoned Once By FDR, Broker On Trial Anew

Jarvis Charged Now With Stock Fraud In \$200,000 Suit

BOSTON, May 3 (UP).—William A. Jarvis, former Boston stock broker pardoned by President Roosevelt while in prison for mail fraud, was among 17 defendants today in a suit brought by 33 persons to recover \$217,000 lost in alleged manipulations of Atlas Tack Corp. stock.

Other principal defendants in the suit, filed in Federal Court yesterday, were Samuel L. Gaines of New York and Philip H. Philbin, Jr. of Boston.

Jarvis, Gaines and Philbin were sentenced to five years in a federal penitentiary after pleading guilty to the mail fraud charges. Jarvis was released a year ago after serving 15 months when pardoned because of poor health.

The suit charged conspiracy on the part of the principal defendants to inflate the price of Atlas stock from \$6 to \$34. The plaintiffs charge they were "persuaded to purchase stock at inflated prices far in excess of actual value."

The alleged swindle occurred in 1933 when the prices of stock were boosted by "wash sales," advertisements in a financial weekly and a high-pressure telephone sales program. Through the inflated market, the defendants allegedly reaped a \$1,252,000 profit.

Canadian Freighters Sinks; Probe Ordered

MIDLAND, Ont., May 3 (UP).—The freighter Collingwood, of the Canada Steamship Lines, docked here today with 16 survivors of the Burke Towing and Salvage Company's Great Lakes vessel, Arlington, which foundered in a storm on Lake Superior Wednesday.

A special admiralty court, appointed by the Dominion government, began taking evidence from Arlington crew members as soon as the Collingwood tied up.

Letter of Protest Sent to Roosevelt and Jackson

The Central Trades and Labor Council of New York passed a resolution at its regular meeting Thursday night protesting to President Roosevelt and Attorney General Robert H. Jackson against the anti-union activities of Thurman Arnold, chief of the Anti-Trust Division of the Department of Justice.

The resolution orders that the protest be sent to the President, attorney general and all members of Congress.

Action came following a speech by Matthew Woll, vice-president of the A. F. of L. in which he revealed that thus far 74 indictments have been returned in 11 cities, aimed against 985 individuals, corporations and organizations, in which are included 200 union members and 55 unions.

Delegates from the floor followed with sharp attacks upon Arnold and the administration for turning the anti-trust campaign into a drive against unions. One delegate suggested "National Protest Day" when the entire organized labor movement would take a "vacation."

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"The Family Downstairs"

by Maurice Forman

Presented by ROBERT RAVEN PLAYERS, Lodge 118

"Don't You Want To Be Free"

by Langston Hughes

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"Day in the Life of a Secretary"

by Kilsinger & Hayes

Presented by BROOKLYN PLAYERS, Lodge 817

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Household Corner

ASIDE from the many different

kinds of fish and shellfish that are available, the clever housewife can prepare the same variety in so many different ways that her family will never complain of monotony of meals.

Too many women shy away from fish cookery as being too complicated but the smart housewife knows how really simple it is once she learns the fundamentals of seafood cooking.

The three main fish divisions are salt-water fish, fresh water fish and shellfish. If you have been concentrating on one of these divisions you will receive a pleasant surprise by trying one or both of the others. There is no season for fish. You can get leading varieties in each section at any time. But remember, by watching the fish market for the most plentiful varieties you get a bargain and the best qualities at the same time.

You can learn about fish and shellfish cooking from the "Seafood Cook Book" which is compiled by the New York City Department of Markets. One will be sent by the Fishery Council, 204 Water St., N. Y. C.

PANFED DABS—DILL SAUCE

Roll small dabs in seasoned flour. Sauté on both sides. Add 2 green onions or 1 small, minced onion and ½ cup dill pickle chopped to ½ cup mayonnaise. Season with dash of pepper sauce (tobasco). Serve with fish.

FASHION FINDS SMARTNESS

IN PLAIDS: Sheer plaid wool in gold, red and green on a ground of black makes this attractive Spring ensemble. The hat is of gold-colored straw braid.

AN OUTFIT FOR SPRING:

The same print appears in the hat and dress of this ensemble. It is powder blue, white and wine. The softly draped coat is of powder blue woolen. The belt is of wine red leather.

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SATURDAY, MAY 4, 1940

May Day, 1940— Victory for Unity

• May Day, 1940, proved to be an outstanding milestone in the history of this holiday of the working people.

It demonstrated the strong will of the masses for peace and security.

May Day of this year found a large part of the world deluged in bloodshed. In the warring countries demonstrations of the workers were banned or condemned. Not only was this intimidation and suppression enacted by the governments themselves; it was also unleashed by the lackeys of the imperialists, the Social Democrats and the bureaucratic trade union leaders under the influence of Social Democracy.

In our country Big Business did everything possible to split and smash the demonstrations. To carry through this attempted program of destroying the celebrations, Wall Street relied in main upon the monopoly press, Martin Dies and the other tools of monopoly—the Social Democrats and bureaucratic trade union leaders.

Wall Street tried everywhere to prevent the demonstrations because it realized that these outpourings of the masses interfered with the Wall Street-White House program.

It was this character of the demonstrations—highlighted by the strenuous attempts to suppress them—that gave to these expressions by the masses a special importance. They represented everywhere a dynamic struggle against the war schemes of Wall Street, the White House and reaction.

They were more than mere demonstrations of strength. They were the workers' challenge to the war-makers—on a more fundamental issue but with the same central driving purpose as in the campaign of the first May Day 8-hour day.

May Day, 1940, has proved to be the occasion for the great gathering of forces for peace and jobs—forces which will grow and gain greater unity and strength, enabling the working class to end the war. Around these gathering forces, the unity of the working class will be forged.

The celebrations on this May Day assumed a major importance because of the program which they brought forward—against the war and against those responsible for the war. Especially was the blame correctly laid at the door of the Roosevelt administration for its plots and plans to involve America in the conflict. This is of special significance, because the demonstrations thus show that the working class is achieving greater clarity. The slogans put forward reflected a greater understanding of the war issue—not only on the part of the marchers but by the entire labor movement.

The demonstrations in our own country also registered the fact that those unions and mass organizations and that political party especially singled out for persecution, as a means of breaking all the labor movement, emerged stronger and more consolidated than ever.

Martin Dies and Thurman Arnold got their proper answer from the workers in these demonstrations. This is an outstanding development, not only for the organizations under assault but for the whole progressive movement. For it registers a tremendous step forward in the consolidation of all the groups in the camp of labor and progress in this country. How proud and strong was the delegation of the International Workers Order in the great New York parade! Any one witnessing their strength and spirit could understand why the enemies of the people would want so much to smash this magnificent power for peace.

That these organizations under attack have not been weakened but strengthened is the occasion for joy to all the labor movement. It is an indication that by standing together, the entire movement can defeat its foes and come out of the battle stronger and more firmly entrenched.

A sharp rebuff was given on this May Day to those agencies within the labor movement who support the war program of Wall Street and who seek more and more to suppress the militant traditions of the working class. These representatives of Social Democracy gave evidence of their reactionary trend in their complete abandonment of May Day. The splendid turnout of the members of those unions whose leaders had thus surrendered to reaction—particularly the membership of the International Ladies Garment Workers Union—demonstrates that wide sections of the workers are not being fooled by these tactics.

These workers expressed their desire to march side by side with their fellows in the

battle against the war, against the war-makers and against the Roosevelt administration.

In the camp of Social Democracy, the thimble-like meetings reflected the isolation from the masses which is theirs. Two hundred people turned out to hear Norman Thomas. One wing of the Trotskyites had a mere handful at an open air meeting, and another wing had 200 at Irving Plaza. All the splitters of the labor movement got their proper answer on May Day. The workers want unity based on the class struggle. The demonstrations show that while the struggle against the splitters and agents of the imperialists is not won, it has started and will continue with great drive and effectiveness. That is the case because the masses want unity—of all the common people.

This spirit of unity expressed the desire of the membership of AFL and CIO to meet the assaults of Wall Street upon the trade unions through joint activity of labor with the rest of the toiling people. Standing out was the same desire witnessed in the increased unity of the national groups, as they marched shoulder to shoulder. Of the need for this joining of hands by all, the working people were more conscious this year than ever before.

Likewise was this development witnessed strikingly in the participation of the Communists in the great New York parade. This was not so much a demonstration of the strength of the Party as it was an evidence of the strength and unity of the workers' organization as a whole. There was a recognition here that the working class must remain united, when the fire of Wall Street is directed against the Communists as the opening gun to split and scatter the entire labor movement.

The workers asserted on May Day that the Communists have their place in the ranks of the united movement of all the toilers. The workers demonstrated that they are making up their minds as to who their allies are—not from the commands of Dies, Hoover or Hillman, but on the basis of their own experience. At the same time, the tribute to the Communist Party, particularly evidenced in the ovation given by the people to Comrade Browder, was an expression of the determination of the people to maintain their civil rights as well as an expression of the increased influence and prestige of the Party among the people.

This splendid solidarity shown on May Day gives a picture of the goal toward which labor is marching in America—with labor and all the people united into one political instrument, an anti-imperialist Farmer-Labor Party.

International solidarity marked this May Day. In Mexico City 250,000 marched against Wall Street imperialism and its threat to the Mexican Republic. In Havana, Cuba, 40,000 turned out in a like demonstration. In Great Britain, under the guns of Chamberlain and Churchill, meetings took place. Though there were no meetings in Germany or France, we can rest assured that the workers in those countries did not forget May Day. The fierce persecutions of the Communists—particularly in France—advise us of the continued battle for the working people there for peace and against the war-makers.

The millions marching in the Soviet Union gave added significance to this May Day celebration throughout the world. From the Red Square in Moscow there went out the message that the working class in this huge country has become a power for peace, security and the people's welfare. The efforts and struggles of the workers throughout the world—particularly under the stress of the war—tend to become more and more merged around the great example of the Soviet Union.

There is an imperialist war again raging in the world. But it is not the same as in 1914-18. There were no demonstrations then, of such strength, understanding and determination. And, at that time, the working class had not achieved power in any country. Spurred on by these appreciations, the working people have before them the job of extending the unity which stood out on May Day, to include every one of the masses in America.

Who's Working with Whom?

• Mayor LaGuardia's new aide, David Rockefeller, of the Rockefeller multi-millions, is the unmistakable insignia that the Mayor has, at last, arrived.

Very recently, the Mayor fired from his staff such liberals as Nathan Frankel, James M. Kieran, Clendenin Ryan and Mitzzi Somach. It is a new mayor, just like it's a new Roosevelt, and what could show the change better than putting a Rockefeller at his elbow.

Since the imperialist war, the Mayor has been listening to the bankers and to Wall Street to the exclusion of the people. His executive budget attacks schools, health facilities and other social services. He is gradually undermining the five cent fare. The brutality of the police against demonstrators in front of the French consulate shows the city administration's attitude toward a peaceful picket line. Those are the callous policies of the Rockefeller class.

In fact, it's not so much a Rockefeller working with the mayor, as it is the LaGuardia administration working with the Rockefellers.



Tory Wage Act Amendments Blocked by Jittery House

(Continued from Page 1)

and member of the Dies Committee. Casey proposed to exempt from the act some 1,300,000 workers employed by all the wholesale houses in the country.

Comparing with this amendment in destructive character was only the Bland amendment which would have exempted 1,000,000 workers engaged in processing, freezing, preserving, and canning of vegetables and fruits.

The doom of the various amendments was clearly indicated when the Norton bill with all of the sweeping amendments which had been passed was defeated by a vote of 211 to 171.

Reactionary Southern Democrats lined up with a large number of Republicans on this vote.

There were, however, enough Republicans who feared the political

consequences of passing these amendments to make a majority against the sweeping amendments when combined with a sizeable number of Democrats primarily from the big cities.

On the next vote which came on a motion to recommit to the Labor Committee, original Norton bill as sponsored by the administration and first introduced last year the situation was more confused.

Many of the city Congressmen who were opposed to all amendments voted for this motion. But so did a number of the reactionary Republicans and Democrats who felt that the Norton amendments did not go far enough.

The whole drive to amend the Wage-Hour Act was started by these amendments which were opposed last year by Wage-Hour Administrator Elmer Andrews in an effort to appease the reactionaries.

Members of the dime-an-hour bloc seized on these amendments as an entering wedge with which to destroy the entire act.

LIBERAL'S STAND

Representative Vito Marcantonio of New York and other liberal Congressmen had been pressing from the beginning for a motion to recommit the bill and send it back to the Labor Committee for further study.

Majority leader Sam Rayburn and Labor Committee Chairman Mary Norton at first opposed this motion and repeatedly voted against motions to this effect.

The final motion to recommit was made by Representative James Wadsworth, New York Republican, who had favored more drastic amendments.

Representative Norton summed up the situation by stating that the final vote was due to "utter con-

Letters From Our Readers

Capitalism Spawns and Spreads War

Editor, Daily Worker:

Out of the numberless fits of lunacy which foul the present-day atmosphere of social capitalist decay, the barbaric blood-cry of the British aristocrat Alfred Duff Cooper for a war of extermination of the people of Germany, and the ultra-ridiculous proposal by one Samuel Harden Church of Pittsburgh that Hitler be taken alive and unhurt to the League of Nations for trial, stands out as the culminating demonstration of intellectual and moral bankruptcy so apparent among the topmost individuals of our ruling classes.

It is not Hitler alone who is responsible for this war. The reactionary and selfish rulers of Britain and France, together with the whole body of lords of finance-capital, in fact the capitalist system, are the nucleus from which the great social evil, war, spawns and spreads.

Back in 1914-18 legions of super-"patriots" and sanctimonious hypocrites were assuring us that the German Kaiser, and he alone, was the criminal to be destroyed or brought to account. They also were impudently telling us, much as they are beginning to tell us now: "The Allies are fighting not only for the preservation of their own rights and liberties, but are instruments in the Lord's hands to restore and re-establish the liberties of the whole world!" But did they?

Many are the people who know better today than to fall for such hypocritical expressions of well-paid propaganda. They know that as long as the economic injustice lasts which is inseparable from capitalism with its insatiable appetite for profits and monopolistic domination of nations and of communities, there can never be real peace, unarmed peace, only mad races for armaments and wars, and more wars. A. G. D.

Make Mother's Day, Peace Day— 'No Gold Stars for Us'

Editor, Daily Worker:

Many politicians are deploring the fact that the greatest obstacle to entering the war are the mothers of America. Without the mothers in the way they would find it easier sailing to drag this country into war.

There is something for all mothers to remember

New York City.

this Mother's Day. If we, women, are not organized into conscious peace groups, the war-mongers will catch us unprepared and pave the way for the death of our sons and husbands. Now that Mother's Day is approaching and the subject of peace is on the minds of all true progressives, it is high time that we celebrate Mother's Day as a day for peace.

Rather than have our children spend their last few pennies buying us candy and flowers, let us all send protesting telegrams to the President and all the other high-official warmongers who would rather see American mothers in mourning for the profits that war can bring.

Let us tell them, just as we told them on May Day, "I Didn't Raise My Boy to Be a Soldier for Wall Street," "The Yanks Are Not Coming," and "No Gold Stars for Us."

This is the best way to mark the celebration of Mother's Day this year. MRS. J. F.

How the Trusts Make Their Profits—

Philadelphia, Pa.

Editor, Daily Worker:

In connection with your editorial, "Kow-towing to the Trusts," I want to cite two examples of how they operate in Philadelphia:

Here in Philadelphia last summer I had the experience of being told that I must pay \$1.25 per month for "maintenance cost" when I left the city for a month, although I could not make or receive a single call. Yet the only thing that could have happened to the telephone instrument is to gather a little dust. It seems to me that paying \$1.25 a month for a little dust is excessive.

Another instance of monopoly high-handedness here is the Trolley Co. Philadelphia is putting on a safe-driving campaign, but the P. T. C. Co. saves money by using one-man trolleys, the trolleys allow only a split second of time as a margin of safety when entering and leaving a trolley, the busses go through red lights. A. F.

Third Party Needed to Combat War-Drive of Capitalists

Editor, Daily Worker:

Since President Roosevelt has shown by his recent actions that he has definitely jumped on the "Road to War" bandwagon I believe a large majority of the

Palestine Land Rules Show Imperial Britain's Betrayal of Jews

By I. Rennap

LONDON (By Mail).—The new land regulations in Palestine, drastically restricting Jewish land purchases, came like a thunderbolt to the Yishuv, (Palestine Jewry). The Zionist leaders had led the Yishuv and the whole world to believe that in return for their support of Allied war aims, Britain would, at least have postponed the enforcement of the White Paper policy of last May (of which these regulations are an important part) till after the war. The atmosphere in Tel Aviv, Haifa and Jerusalem became similar to that of last May when the White Paper Plan was first issued. A wave of indignation broke out against the British Government. A one-day strike took place throughout the Yishuv. Large demonstrations were organized. Curfew was imposed in Jerusalem and Tel Aviv.

The new Palestine land regulations, whilst they were aimed at bringing into this bloc the dominant Palestine Arab leaders, are also the first step towards getting Moslem mass support for the war. And as Britain will find herself compelled more and more to woo the peoples in the Near and Middle East among whom there exists such strong anti-imperialist feeling, so it may strike further blows at the Yishuv. For it must be realized that the Arab-Jewish problem in Palestine is an issue not confined merely to Palestine. It is an issue which has had repercussions in the whole Moslem world.

In Palestine there is an appearance of peace and the "restoration" of "order." But guerrilla warfare still goes on. In spite of the Arab leaders trucking to Britain, there are strong rumors and reports of plots and plans for a renewal of the Arab revolt.

The British Government is aware of this underground ferment. This reflects itself in the British Colonial Minister's speech in the House in the debate on the new land regulations. He said:

"We have had the most stern warning in recent weeks that, despite appearances in Palestine, there was a growing unrest in the Arab villages and a growing suspicion that the British Government were not sincere in promising to protect the interests of the Arab cultivators."

It is important to note that these land regulations are a blow to the "moderate" Nashashibi Arabs, because these represent those Arab landowners and capitalists who have always been pro-imperialist and pro-Zionist, because they have made fortunes from land sales to Jews at fat prices. For these Arab gentry the issue of national independence has been a very bad second to enriching themselves through Zionist penetration. They will now find this much more difficult.

On the other hand, those landlords and capitalists represented by the Mufti and the old Arab Higher Committee are the big landowning families who have opposed Zionist penetration because they aim at becoming the rulers and masters of Palestine under British "protection." This group, if it has been forced to lead the revolt against Britain in its early stages, did so because of the mass pressure from below from the impoverished peasantry, large numbers of whom were dispossessed of their land by the same landowners. The necessity to divert discontent away from themselves and retain their traditional spiritual influence on the Arab masses drove them, for a while, into leading the anti-imperialist struggle.

In the hill country, where Jewish land purchases have been negligible, the landlords and usurers have dispossessed the peasantry of nearly 30 per cent of their land in one decade. In this part of the country in Nablus and Jenin, strongholds of Arab nationalism, are to be found some of the traditional leading landowning families who in 1936 were at the head of the revolt. There is nothing in the new regulations to prevent this landed gentry from further driving out the Arab peasantry. And this is precisely what Britain aims at: to see that this wealthy stratum benefits at the expense of Zionist aims and its political rivals, the Nashashibis.

Therefore, while the Government claims that these new land regulations will benefit the Arab cultivators, they do nothing of the sort. They merely attempt to fool the Palestine Arab masses and the peoples in the Near East, while in reality they bribe and win over to Britain's "united front" of Moslem aristocrats a still fairly influential section of the Palestine Arab landlord gentry. The lot of the Arab peasant will not be bettered. Only a progressive program of irrigation and land development schemes, radical agrarian reforms and effective social legislation which will safeguard the position of cultivator, both Arab and Jewish, will alter for the better the lot of the impoverished Arab peasantry. It would also improve the position of the Jews. Intensive agricultural as well as industrial development would create conditions for further Jewish immigration; whereas, the Government's new policy condemns the Yishuv and its achievements which, under different conditions can be such a tremendous force for progressive development in the interests of both communities, to stagnation. Such a program can only be achieved by the unity of the Arab and Jewish masses against imperialism and its war, as well as against imperialism's agents, the Moslem and Zionist leaders, for the creation of an Arab-Jewish Government that can embark on such a program.

The broad masses in the Moslem countries will not be bamboozled by imperialism and its war maneuvers. They are already beginning to awaken and to fight back. These peoples are the Yishuv's natural allies, with whose cause it must identify itself. Their path is the one which can open up new perspectives of rich creative development for the Yishuv and its neighbors; whereas, the path of the Zionist leaders and their pro-imperialist policy condemns it to a ghetto status of degradation and poverty.

voters, will not readily vote for him or any other stooge the Democratic Party nominates.

The Republicans are no better and Dewey or any other candidate would just be a puppet to their machine.

The only solution therefore is a third party strong enough to combat the poison of the capitalist-controlled machines. H. G.

Thanks for the Space You Have Given The Irish Fight for Freedom

Philadelphia, Pa.

Editor, Daily Worker:

Let me suggest a corner in your paper for songs and poems. I think it would increase the circulation and also be a source of education.

I want to thank you for the space you have given the Irish fight for freedom. J. J. E.

The Children of America Paint

Exhibition Shows Need for Aid to Education, WPA

Sylvia Sidney, star of stage and screen, will be among the galaxy appearing in the "Night of Nights for China," at the Center Theatre tomorrow evening. Sponsored by the China Aid Council, proceeds go for war orphans and refugees.

"The City," water color painting by a pupil in the 7th grade at Hawthorne School, Oak Park, Ill., which is being shown, with the work of over 1,000 school children at the exhibition.

in this country in the pas de deux from Les Sylphides, the Fokine ballet which was restaged by its originator for the American ballet organization earlier this season. Appearing with him will be Trina Baranová.

The benefit will also offer many stage stars

Actors, singers and dancers, are wanted for immediate casting and rehearsal, by Contemporary Theater, a progressive dramatic group specializing in plays and musicals of social significance. For further information, phone GR 7-5419.

Aided by his comrades in Paris, Hans Marchwiza was able to continue his literary work even under indescribably difficult conditions and managed to keep going until the outbreak of the war. The French police have now thrown him into prison as if he were an ordinary criminal.

This courageous working-class fighter is now delivered over to the mercy of his jailers. The demand for his release must be taken up by all progressive intellectuals.

MANTEO, N. C.—Halle Pianag Director of the Vassar College Experimental Theatre and former national director of the Federal Theatre Projects, was today named advisory director of Paul Green's historical drama "The Lost Colony" which opens its fourth summer season at the Waterside Theatre here June 29.

During the past three seasons "The Lost Colony" was the most

The latest Modern Library "Giant" contains four of George Eliot's most famous novels, all complete and unabridged: "Adam Bede," "The Mill on the Floss," "Romola" and "Silas Marner," over 1,300 pages. This George Eliot volume is the fifty-first Modern Library "Giant"; the first one, Tolstoy's "War and Peace," published in 1931, is still one of the best sellers.

3:45-WNYC-News	WABC-Late Evening News
4:00-WEAF-Campus Capers	WHN-Cinderella Hour
WJZ-Club Matinee	WOV-Concert Hall of the Air
WNYC-Juilliard Institute Alumni	WQXR-Just Music
Recital	12:00-WMCA-News
WQXR-Music of the Moment	WHN-Music to Read By
4:30-WEAF-A Boy, a Girl and a Band	WEVD-Symphonic Hour
WFL-Jazz at the Nautican	WFLZ-Soft Rock

To meet this demand the Dorothy Parker Spanish Children's Relief Fund has arranged a music festival to take place at Mecca Temple on Wednesday Evening. The program will present a unique and original entertainment emphasizing current trends in American Music it will bring together for the first time many distinguished composers. The program is divided in four sections: concert music, folk music, theater music, and swing.

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